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July 15, 2008

VIA ELECTRONIC FILING

The Honorable Gregory M. Sleet
United States District Judge
J. Caleb Boggs Federal Building
844 N. King Street, Lockbox 18
Wilmington, DE 19801

Re: Textron Innovations Inc. v. The Toro Company
C. A. No. 05-486-GMS

Dear Chief Judge Sleet:

Pursuant to the Court's Order of April 25, 2007, the parties submit this joint status report regarding the pending reexaminations of the patents-in-suit, namely U.S. Patent Nos. 6,047,530; 6,336,311 and 6,336,312. On July 16, 2007 and November 14, 2007, the PTO issued first office actions rejecting the asserted claims of the patents-in-suit. The parties have responded to the PTO's first office actions.

On May 27, 2008, the PTO issued a second office action for the '312 patent maintaining some of its rejections and withdrawing others. All of the '312 patent claims-in-suit stand rejected. Textron filed a response on June 27, 2008. Toro's comments to Textron's response are due July 28, 2008. The parties are waiting for a decision from the PTO with respect to the '530 and '311 reexaminations.

Respectfully,

/s/ David E. Moore

David E. Moore

DEM/msb
874128 / 29362

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)